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OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)

No. D06-313

FIDELITY NATIONAL PROPERTY AND)
CASUALTY INSURANCE COMPANY,)CONSENT ORDER
IMPOSING A FINEAn Authorized Insurer)
_____)Findings of Fact:

1. Fidelity National Property and Casualty Insurance Company ("Fidelity National") is authorized to conduct insurance business in Washington State. It issues property, casualty, vehicle, marine transportation, and surety insurance.
2. Fidelity National filed its calendar year 2004 Annual Statement, Statement of Actuarial Opinion, and April Supplemental filing with the Office of the Insurance Commissioner ("OIC") on April 25, 2005.
3. Fidelity National electronically filed its calendar year 2005 Annual Statement with the OIC on February 28, 2006, but did not file the paper signature pages for the Jurat and the Statement of Actuarial Opinion until May 17, 2006.

Conclusions of Law:

1. Fidelity National's failure to timely file its calendar year 2004 Annual Statement, 2004 April Supplemental filing, and 2005 Annual Statement signature pages with the OIC constitutes three violations of RCW 48.05.250.
2. RCW 48.05.185 authorizes the Commissioner to impose a fine in lieu of or in addition to the suspension or revocation of an insurer's certificate of authority.

Consent to Order:

Fidelity National consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of Fidelity National's payment of a fine as set forth below.

1. Fidelity National consents to the entry of the foregoing Findings of Fact and Conclusions of Law, and acknowledges its duty to comply fully with all applicable laws and regulations of the State of Washington. It waives further administrative or legal challenge to the actions taken by the Insurance Commissioner that are related to the subject matter of this Order.



2. Within thirty days of the entry of this Order, Fidelity National will pay to the Insurance Commissioner a fine in the amount of \$1,750 (one thousand seven hundred fifty dollars).

3. Failure to pay the fine in full within thirty days of the entry of this order will constitute grounds for revocation of the certificate of authority held by Fidelity National in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 21 day of Nov., 2006.

FIDELITY NATIONAL PROPERTY AND CASUALTY INSURANCE COMPANY

By: 

Printed Name: JOHN M. GIANNINI

Printed Corporate Title: VP- ACCOUNTING

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

Order:

1. Fidelity National Property and Casualty Insurance Company is ordered to pay, within thirty days of the entry of this order, a fine in the amount of \$1,750 (one thousand seven hundred fifty dollars).

2. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 30th day of November, 2006

MIKE KREIDLER
Insurance Commissioner

By: 

Marcia G. Stickler
Legal Affairs Division